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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,199	07/08/2003	Rolf Borneck	BORNECK 1	8020

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EXAMINER

PICO, ERIC E

ART UNIT PAPER NUMBER

3652

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/615,199	Applicant(s) BORNECK, ROLF	
	Examiner Eric Pico	Art Unit 3652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/24/2003</u> . | 6) <input type="checkbox"/> Other: ____. |

Art Unit: 3652

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because the abstract exceeds the range of 50 to 150 words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 8 and 9 rejected under 35 U.S.C. 102(b) as being anticipated by Chiu (U.S. Patent# 5839543). Chiu discloses an elevator shaft door disposed in a frame 20 having a plurality of parallel tracks 30, 40, and 50. The elevator shaft door includes a plurality of rolling carriages 31, 41, and 51 for rolling in the

Art Unit: 3652

plurality of parallel tracks 30, 40, and 50. A plurality of panels 25 are coupled to and suspended from the plurality of rolling carriages 31, 41, and 51. A plurality of deflection rollers 33 and 34 are mounted to rotate on one rolling carriage 31 around a vertical axis of rotation. A tension cable 60 is fixed in place, and has ends coupled to a rolling carriage 41. The tension cable is guided around a plurality of deflection rollers 33 and 34 so that the plurality of panels perform opening and closing movement and move past each other with a changing overlap during the opening and closing movements on the plurality of parallel tracks 30, 40, and 50. Regarding claim 9, Chiu further discloses the ends of the tension cables connected to a back end of a rolling carriage 41 oriented in the closing direction.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 1-3 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiu (U.S. Patent# 5839543) in view of Urquhart (U.S. Patent# 2841390). Chiu discloses an elevator shaft door disposed in a frame containing a plurality of parallel tracks 30, 40, and 50 disposed in the frame 20. Also included is a plurality of rolling carriages 31, 41, and 51 with a rolling

Art Unit: 3652

carriage 41 and additional rolling carriage 31 and 51 for rolling in the plurality of parallel tracks 30, 40, and 50. A plurality of panels 25 with one panel is suspended on a rolling carriage and additional panels 25 are suspended on additional rolling carriages 31 and 51. A tension cable 60 is fixed in place 27 and has ends coupled to a rolling carriage 41. A plurality of deflection rollers are mounted to rotate on an addition rolling carriage 31 adapted to rotate around a vertical axis of rotation. Chiu further discloses the plurality of panels 25 perform movements of different lengths in a same direction during an opening and closing movement and move past each other with a changing overlap during the opening and closing movement on the plurality of parallel tracks 30, 40, and 50 with ends of the tension cable connected to a back end of a rolling carriage 41 oriented in the closing direction. The tension cable becomes shorter during a closing movement of a panel 25, which moves ahead of an additional panel 25 during the closing movement. Regarding claim 2, Chiu further discloses a rolling carriage 41 having a rolling wheel carrier (not numbered but shown in Figures 3-5) that has rollers 53 mounted on its upper end to plurality of substantially parallel tracks 30, 40, and 50. Regarding claim 3, Chiu further discloses additional rolling carriages 31 and 51 having rolling wheel carriers (not numbered but shown in Figures 3-5) that has rollers 53 mounted on an upper end of additional panels 25. The rolling wheel carrier has two additional horizontal surfaces on a front and a back end, based up a closing direction, of plurality of panels. Deflection rollers are mounted on additional horizontal surfaces. Regarding claim 4, Chiu further discloses two horizontal surfaces having a ridge, which forms reinforcements (not

Art Unit: 3652

numbered but shown in Figures 3 and 4). The ridge is positioned on a side facing away from the plurality of deflection rollers 33 and 34. Regarding claim 5 and 6, Chiu further discloses rolling wheel carriers (not numbered but shown in Figures 3-4) coupled to rolling carriage 41 and additional rolling carriages 31 and 51 comprised of a shaped sheet metal profile. Chiu is silent concerning tension cable guided around deflection rollers of different diameters.

7. Urquhart teaches the use of a plurality of deflection rollers 29, 30, 34, 35, 39, and 40 adapted to rotate around a vertical axis of rotation having a different diameter to form smaller deflection rollers 29, 34, and 39 and larger deflection rollers 30, 35, and 40. An end of a tension cable 22 is guided around a smaller deflection roller 33. Regarding claim 2, Urquhart further teaches ends of tension cables 22 and 23 are guided around smaller deflection rollers 29, 34, and 39 and are attached to a said of rolling wheel carriers that face rolling carriages 2, 3, and 4. Tension cables 22 and 23 have another end that is guided around a larger deflection roller 30, 35, and 40. Another end of the tension cables 22 and 23 are connected to a side of the rolling wheel carriers that face opposite of rolling carriages 1, 2, and 3. Regarding claim 3, Urquhart further teaches mounting smaller deflection rollers 29, 34, and 39 and large deflection rollers. Regarding claim 7, Urquhart further teaches deflection rollers 29, 34, and 39 and additional deflection rollers 30, 35, and 40 are aligned on two different vertical axes that have a parallel offset. Parallel offset of the different vertical axes are adapted so that all segments of tension cables 22, 23, and 24 that are guided around

Art Unit: 3652

plurality of deflection rollers 29, 30, 34, 35, 39, and 40, extend parallel to a running direction of plurality of panels 1, 2, 3, and 4.

8. It would have been obvious to one of the ordinary skill in the art at the time of the invention to mount deflection rollers having different diameters taught by Urquhart to the rolling wheel carriers disclosed by Chiu to guide and apply tension to the tension cable within in a small confined frame.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kappenhagen (U.S. Patent# 4149615), Keast (U.S. Patent# 4852300), Garrido et al. (U.S. Patent# 5060763), Byrne (U.S. Patent# 2178136), Koura et al. (U.S. Patent# 5168666).

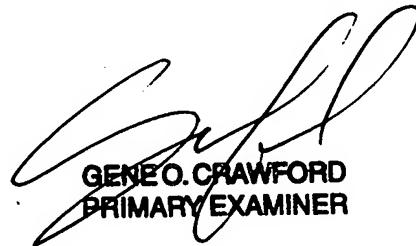
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Pico whose telephone number is (571)272-5589. The examiner can normally be reached on 6:30AM - 3:00PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on (571)272-6928. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3652

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EEP



GENE O. CRAWFORD
PRIMARY EXAMINER